

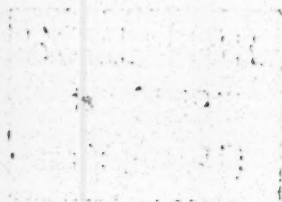
MILITARY
ORDERS

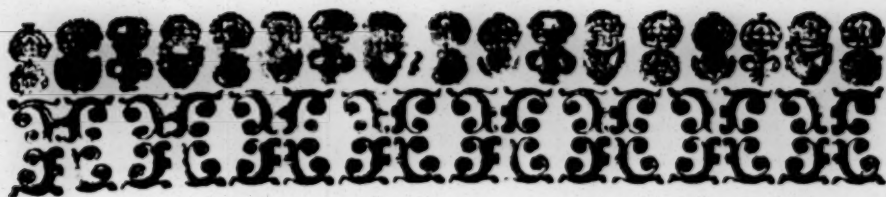
And Articles Established by
HIS MAJESTY,
For the better Ordering and Government
of His Majesties Army.

ALSO
Two Proclamations, one against Plundering
and Robbing. The other against Selling or
buying of Armes and Horse.

Printed by His Majesties Command
AT OXFORD

By Leonarch Lichfield, Printer to the
University. 1644.





**MILITARY ORDERS,
AND ARTICLES ESTABLISHED**
by His Majesty, for the better Ordering
and Governing of His Army.

WE being compell'd, to our great
griefe, to raise an Army for our neces-
sary defence, and for the suppressing
of certain of Our disloyall, and Re-
bellious Subjects, who casting away all feare of God
from before their eyes, have levyed Warre against
Us their naturall Leige Lord, to the endangering of
Our Person, Our Crowne, and Dignity, and by open
hostility have robbed, and spoyled many of Our
Loyall and Loving Subjects, in sundry places of this
Our Realme of *England*, of their Goods, and Estates,
and have imprisoned their bodies, and have taken a-
way divers of their lives, in a barbarous and inhu-
mane way.

And we being well assured, that an Army raised
must be governed by Military discipline, else it will
soon run into many disorders, & grow into confusion.

We have revised Our Military Orders, and Articles established by Us, for the better Ordering and Government of Our Army, which we caused to be Published and Printed at *Yorke*.

And We have also seen, and advisedly considered of other Orders made, & established for other Armies in forraigne parts, well, and successfully governed.

And out of all these, and Our own observations, and by the advice of Our Lord Lieutenant Generall of Our Armies throughout this Our Realm of *England*, and the advice of Our Councell of War residing with Us at Our City of *Oxford*, We are resolved upon, and doe now establish these Lawes, Orders, and Articles following, for the better ordering and governing of Our Armies in the severall parts of this Our Realme, untill, by the blessing of God, they shall be disbanded.

FIRST, We straitly charge and command, that no Souldier, of what quality soever, doe presume to Blaspheme the Holy *Trinitie*, or the persons of God the Father, God the Sonne, or God the holy Ghost, nor advisedly speake against any the known Articles of the *Christian faith*, upon pain to have his tongue boared through with a red hot Iron.

2. That no Souldier use, or utter any unlawfull Oath, or execration, & if it be proved against him by his own confession, or by the testimony of two witnesses upon their Oathes lawfully administred, every such vaine, or prophane Swearer, or Curser, shall for the first offence forfeit 12 d. to be deducted out of his next pay, & for the second offence shall forfeit 12 d. and

and be laid in Irons for 12. houres, and for every like offence shall suffer, and pay in like manner.

3. That every Souldier who shall abuse or profane any the places of Gods Worship, or any the Utensils, or Ornaments belonging, or dedicated to Gods worship, in any Church or Chappell, or shall offer any violence to any Chaplain, or in the Army, or any other Minister of Gods word, shall suffer, and pay for every such offence in such manner as is mentioned in the next precedent Article.

4. If any Souldier, not having any just cause to the contrary, shall wilfully, or negligently absent himselfe from Divine Service, or Sermon upon Sundayes, or other dayes appointed for that purpose, and in such places as shall be appointed for the Regiment wherein he serveth, or shall not carry and behave himselfe decently, and reverently in the time of Divine Service, and Sermon, shall suffer, and pay for every such offence in such manner as is mentioned in the next precedent Article.

5. And that the service of Almighty God be not neglected, it is ordained, That there be a Chaplain appointed for every Regiment, who shall reade Prayers orderly, and duly once every day whilst they are in *Leaguer*, and shall Preach, or expound some place of *Scripture*, or *Catechisme* once at least on every Sunday, and Holiday, in some such convenient place as the *Colonell* of the Regiment shall appoint, & by the sound of a Trumpet, or Drumme, notice shall be given of the time, in such manner, as the whole Regiment may take notice thereof.

6. If the Chaplaine of the Regiment neglect his due and diligent attendance, at the times appointed to performe his service, he shall for the first offence forfeire halfe a weeks pay, and for the second offence a whole weekes pay, and so as often as he shall offend.

7. Besides, that there shall be for every Regiment a Chaplain, there shall be two Chaplains who shall be attendant upon the *Generall* or chiefe *Commander* of that Army; whose duty and charge shall be to be attendant on his Person at all fitting times

times and places, and to take care that the Chaplaines of the particular Regiments carry themselves well and orderly, and performe their duties.

8. That these two Chaplains of the Army, calling unto their assistance two other of the Chaplains of the Regiments, shall either in the presence of the *Lieutenant-Generall* or chiefe *Commander* of that Army, if he so please, or otherwise in his absence, shall be Judges of all offences, and misdemeanors committed by any Chaplain of the Army, or against the immediate service of God, in any of these Articles, before or afterwards set down to be observed.

9. That the two principall Chaplains of Our Army shall be nominated and made choice of by Us, or otherwise by Our *Generall*, or *Lieutenant-Generall* of that Army, and the Chaplaines of every Regiment shall be nominated and made choice of by Us, or otherwise by the *Colonell* of that Regiment.

10. That during the time of Divine Service, Publick Prayers, and Sermon, or Catechising, all sellers of Ale, Beere, Bread, Victualls, or other commodities, or merchandize, shall forbear to put or set any such thing to sale, upon pain to be imprisoned in Iron 24. houres, and to forfeit the value of that so set to sale, to the use of the poore.

11. And it is ordered that whatsoever pecuniary mulct or forfeiture, by any the precedent or subsequent Articles are appointed to be forfeited to the poore or otherwise, and more particular use assigned for it; shall be paid into the hands of a Treasurer to be nominated for that Regiment, which Treasurer shall keep a true account in writing of what he receiveth, and shall keep it in stock and after bestow it, by the advice of the Chaplaine of the Regiment for the maintenance and reliefe of the sick or maimed Souldiers of that Regiment.

12. After the service of Almighty God, all Sou'diers serving Us in any of Our Armies, shall indeavour faithfully to serve Us, to the best of their skill, power, and understanding; and to that purpose every one of them of what quality

quality or condition soever, shall for himselfe take the Oath of fidelity afterwards, in the end of these Articles prescribed.

13. No Souldier of what quality or degree soever, shall use any traiterous words against the sacred Person of the *King's Majesty*, or of His Royall Authority upon paine of death.

14. If the *King* himselfe be in His owne Person present in the Field, no Souldier shall carry himselfe in word or deed unreverently or disrespectively towards him, upon paine to be punished according to the nature and quality of the offence.

15. In the presence or absence of the *King*, what Souldier soever shall cary himselfe disrespectively towards the Lieutenant-Generall, or other chiefe Commander of that Army, shall be punished according to the quality and nature of the offence, by the judgement of the Councell of War for that Army.

16. And to that purpose it is ordained that in every Army, there shall be a grand Councell of Warre, consisting of 13. Persons at least, whereof the *Lieutenant-Generall*, or in his absence the next principall Commander under him, shall be the *President*; and the rest of the principall Officers of the Army, and the *Colonels*, *Lieutenant Colonels*, and *Sergeant-Majors* shall make up the Body of the Councell.

17. That there shall be also a subordinate Councell of War in every Regiment, of which Councell, the *Colonell*, or in his absence the next Commander of that Regiment shall be the *President*; which Councell shall order and determine all smaller matters and offences happening in that Regiment.

18. We will also, That in every Regiment the Councell of War for that Regiment may hold a Court of War upon all necessary occasions, but shall not proceed to sentence of death, or mutilation of Member, or banishing the Army; but onely in the Generall & great Court of War, to be held for that Army.

19. Whosoever Souldier shall presume to violate His *Majesties* safeguard and safe conduct, knowing the same, shall suffer death for it.

20. Whosoever souldier shall use any words tending to
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the hurt or dishonour of the Lord *Lieutenant General*, or other principall Commander, in his absence, shall suffer death.

21. No Souldier shall presume to quarrell with his superiour Officer upon paine of cashiering, and such other punishment as the Councell of Warre shall think fit, not extending to life or member: nor shall strike or lift up his hand to strike any such superiour Officer in any part of the Army, upon paine of death.

22. No Souldier shall resist & draw or lift, or offer to draw or lift any weapon against his superiour Officer correcting him for his offence, upon paine of death.

23. If the *Lieutenant-General*, or other great Officers of the Army, offer any personall injury to any inferiour Officer, such as with their honour they cannot put up, although they may not resist or revenge themselves, yet they may complain to the great Councell of War of the Army, where the offender shall answer for it, and be censured by the Councell, according to the quality and importancy of the fact.

24. And what is here ordered touching Officers, shall be done for private Souldiers, if they be injured by the superiour Officers, they shall be in like manner righted by the Councell of War in the particular Regiment.

25. If any inferiour Officer refuse to obey the command of his superiour Officer, or any Souldier to obey the command of his superiour, he shall answer for it before the Councell of War, & be punished according to the importance & quality of the fact.

26. If any *Colonell*, *Lieutenant-Colonell*, *Sergeant Major*, or *Quarter-master*, or other Officer either of Horse & Foot, command any thing for any particular end, or which is not just or right, upon complaint it shall be rectified, if proof be made thereof.

27. If any inferiour Officer either of Horse or Foot do challenge any common Souldier to be guilty of any dishonest action, or any act unworthy of a Souldier, the Souldier finding himself guiltlesse and grieved, may lawfully call the said Officer to make proof thereof before the Councell of War, & shall have reparations

tions for the wrong, according to the Judgement of the Court.

28. If any affray shall happen within the compasse of the *Leaguer*, or the place of Garrison, in any of the Souldiers lodging, or the place where they meet together, it shall be required of by the Officers of that Regiment, and the beginning of the affray, and puriuir thereof shall be punished, according to the quality of the offence.

29. He, who in the presence of the *Lieutenant Generall*, shall draw his sword, with a purpose to do any mischief therewith, shall loose his hand for it.

30. He who in anger shall draw his sword, whilst his Colours are flying, either in Battell, or upon the March, shall be shot to death.

31. If it be done in any strength or fortified place, he shall lose his hand, and be turned out of the Quarter.

32. That Souldier, who shall presume to draw his sword upon the place, where any Court of Justice is holden, whilst the Court sitteth, shall lose his life for it.

33. He that drawes his sword in any strength or sort to do mischief therewith, after the watch is set, shall lose his life for it.

34. No Souldier shall depart from his Captaine, without license, though he serve still in the Army, upon pain of death.

35. Every private man and Souldier, upon paine of imprisonment, shall keep silence when the Army is to take lodging, or when it is Marching, or imbarreling, that so the Officers may be heard, and their commands executed, upon such paines as the Councell of War shall think fit, according to the circumstances of the fact.

36. No Souldiers shall make any unlawfull assembly, or be present or assisting thereunto, or in or by them demand their pay, upon pain of death.

37. No Souldier shall resist any Officer in the executing of his office, upon pain of death.

38. No Souldier being committed for any offence, shall

breake Prison upon paine of death.

39. No Souldier shall utter any words tending to sedition, uproare, or mutiny, upon paine of death.

40. If any heare any mutinous words spoken, that Souldier who, with as much convenient speed as he can, doth not reveale it, to the Commander, shall be punished with death.

41. No Souldier shall hinder the *Provoost-Marshal-Generall*, his *Lieutenant* or servant, when they are to execute any thing for the *Kings* service; who doth the contrary, shall lose his life for it.

42. Leave is given unto the *Provoost-Marshal-Generall*, to apprehend all who offend against these Orders and Articles of War; or any other offenders, by his owne Authority with ut other commandement; but in such case he is to have no fees from the person unless upon hearing of the cause the Court allow it.

43. The *Provoost-Marshal*, shall have such fees upon the commitment of any person as the grand Councell of War shall allow and set downe.

44. The *Provoost-Marshal-Generall*, when he committeth any by his own Authority, may either put him in Irons, or in Prison, but shall neither put them to death or to torture, but by Order of the Court of War.

45. There shall be also a *Provoost-Marshal* of every Regiment, and every such *Provoost-Marshal* shall have the same Priviledge in his owne Regiment and Company, as the *Provoost-Marshal-Generall* hath in the Army or Leaguer, and such fees also as the Councell of War shall allow.

46. Whatsoever is to be published or generally made known, shall be done by the sound of Drum or Trumpet, that no man may pretend ignorance; and they who after that shall be found disobedient or faulty, shall be punished according to the quality of the fault.

47. No common Souldier shall thinke himselfe to good, or refuse to worke upon any peece of Fortification, or other place where they shall be commanded for Our service; nor shall any
Of

Officer refuse or neglect to oversee those Souldiers which shall be set over worke, and see that they performe their duty, upon paine of being punished at the discretion of the Court of War.

48. Whosoever Souldier shall do His Majesties work slooely or negligently, shall be punished according as the Court shall deserve by imprisonment, or riding the wooden horse or otherwise.

49. And if any *Colonell* or Captain shall command his Souldiers under him to doe any unlawfull thing, such *Colonell* or Captaine shall be punished for it according to the quality of the offence, by the judgement of the Councell of War.

50. If any *Colonell*, *Captaine*, or other Officer shall by rigour or force take any thing from any common Souldier, he shall answer for it, & make amends by the Judgement of the Court of War.

51. What Souldier soever shall receive an injury, and shall take his own satisfaction for it, and not appeale to the Court or his Commander for it, he shall be punished for it, by the Judgement of the Court Martiall, and if he doe appeale for reparation, he who is injured, shall receive an ample amends.

52. If an Officer be drunk, he shall be punished with the losse of his place, because his fault is exemplary, and may be dangerous, and if a common Souldier be drunk, he shall be punished as the Court Martiall shall think fit.

53. No Souldier shall use reproachfull or provoking speech, or acts to another, upon paine of imprisonment, and of such further punishment as the Court Martiall shall think fit.

54. If any Souldier die, no other shall take or spoile the goods or mony of him that dieth, or is killed in service, upon paine to restore double the value to him to whom they shall belong, and of such further punishment as the Court shall think fit, but the Captain of that Company shall put the same into safe custody: and if any Captain or superiour Officer die, the chiefe Commander shall take care for his Estate in like manner.

55. No man shall go any other way to the *Leaguer*, then that

way which is the common way laid out for all, upon paine of such punishment as the Court shall think fit.

56. No man shall presume to make any Alarme in the Quarter, or to shoot off his Musket in the night time after the watch is set, but at an Enemy, or such a one as he suspected to be an Enemy, upon paine of death.

57. That Souldier who when warning is given for setting the watch, by sound of Drumme, Trumpet, or Fight, shall wilfully absent himselfe, without a lawfull excuse, shall be punished with the wooden Horse, and such other punishment as shall be held fit by the Commander.

58. He that is taken sleeping in the watch, either in any strength, trench, or the like, shall dye for it.

59. He that comes off the watch, when he is commanded to keep his guard, or is drunk upon the watch or place of Sentinels, shall die for it.

60. He that at the sound of the Drum or Trumpet, repairs not to his Colours, shall be clapt in Irons for it.

61. All Souldiers comming to their Colours, to watch, or to be exercised, shall come fully armed, upon paine of severe punishment.

62. None shall presume to appear with their Arms unfixt, or undecently kept, upon pain to be punished at the discretion of his Commander.

63. When any March is to be made, every man that is sworn shall follow his Colours, and whosoever without leave presumes to stay behind, shall be punished at the discretion of the Court; but if any doe so, upon any mutiny, he shall die for it.

64. Whosoever runs from his Colours, be he native or stranger, and doth not defend them to his power, as long as they be in danger, shall dye for it, and he that kills him in the meane time shall be free.

65. If any Trooper or Dragoon shall lose his horse or hackney, or any footman his Arms, or any part thereof by negligence or lewdness, as Dice or Cards, or other gaming; he shall remain
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in the quality of a Pioneer or Scavenger, till he be furnished with as good as were lost, at his own charge, and if he be not otherwise able, the one half of his pay shall be deducted, and set a part for the doing of it, till it be repaired.

66. No Souldier shall pawn or sell his Armes, or any part thereof, or any hatchets, spades, shovels, pickaxes, or other necessary implements used in the Army, upon pain of severe punishment at the discretion of the Court: And no Townes-man or Country-man, or other Souldier, shall presume to buy or take to pawne any such Armes or implements, upon pain to forfeit double the value, and to be further punished for it, at the discretion of the Court.

67. If a Trooper shall willingly spoyle his Horse, or make him unserviceable, he shall lose his Horse, and remaine in the Camp for a Pioneer.

68. If any borrow Armes of another, to passe the Muster withall, the lender shall forfeit the Armes he so lent, and the borrower shall be severely punished.

69. None shall presume to spoyle, sell, or convey away any Ammunition delivered unto him, upon pain of death.

70. When the Souldiers or any of them March through the Country, none of them shall waste, spoyle, or extort any mony, or goods from any of Our Subjects, but by the warrant of the chief Commander, nor any Commander shall give such warrant, without Our speciall direction under Our signe Manuall, or otherwise then as is so directed, except only for such meate and drink, as is necessary for them, by the direction of their Officers, upon paine of death.

71. No Souldier shall presume in his Marching or lodging, to cut down any fruit-Trees, or to deface any walks of Trees, Parke, Warrens, Fishponds, Houses or Gardens, or to spoyle any standing Corne in the ear or in grasse, upon pain of severe punishment.

72. No Souldier shall depart above a mile out of the Army or Camp, without licence, upon paine of death.

73. No man shall draw a sword upon any private quarrell within the Camp or Garrison, upon pain of death.

74. He that makes knowne the watch-word, without order, or gives any other word, but what is given by the Officer, shall dye for it.

75. No man shall doe violence to any who bring victuall to the Camp or Garrison, or shall take from him his horse or other goods, upon pain of death.

76. No man shall wilfully faile to come to the Rendezvous appointed by the *Generall*, upon pain of death.

77. No man that carries Armes or pretends to be a Souldier, shall remaine three dayes in the Army, without being inrolled in some Company, upon pain of death.

78. No private Souldier having a *Pass*, shall out-stay his *Pass*, without a certificate of the true occasion under the hand of a Magistrate, at the next Muster, upon pain of losing his pay during all the time of his absence.

79. Whosoever shall expresse his discontent with the Quarter given him in Camp or Garrison, shall be punished as a *Muriner*.

80. No Officer of what quality soever, shall goe or lye out all night from the Camp or Garrison, without making his superiour Officer acquainted thereof, and having his consent, upon pain of being punished for such offence, as the Court shall thinke fit.

81. Such Officers, whose charge it is, shall see the Quarters kept sweet and clean, upon pain of severe punishment.

82. No Souldier shall faile immediately upon *Allerum* given to repaire to his Colours, except upon evident necessity, upon pain of death; and when he comes, shall come fully armed.

83. No man shall burne any House or Barn, or burne or spoyl any stacke of Corne, Hay, or Straw, or any Ship, Boat, or Carriage, or any thing which may serve for the provision of the Army, without the order of the Commander in chiefe, upon paine of death.

84. All Commanders and Officers, who discover any discontented

tented humours apt to mutiny, or any wilfully swerving from the directions given or Policy of the Army, shall speedily acquaint the superiour Officers therewith, upon pain of being re-
 pured remisse and negligent in the place, and shall be censured for it accordingly.

85. An Officer who shall defraud any Souldier of his pay or any part thereof, shall lose his place, and be farther punished for it, as the Commander in chiefe shall think fit in his discretion.

86. No Corporall or other officer commanding the Watch or Guard, shall wittingly suffer a Souldier to goe forth to a duell or private Fight upon pain of death.

87. If any shall make or send a challenge to his fellow Souldier, or provoke him to goe into the Field to Fight a Duell or single combat, the party challenged or so provoked, may without stain of Honour refuse it and complain of it, and in duty is bound so to doe, and the party challenging or provoking shall be punished for it, by the Generall or chief Commander, or Counsell of War as they shall see cause.

88. If any send a challenge or provoke a Captain to fight a Duell, he shall dye for it.

89. If any upbraid a Souldier for refusing a challenge or demanding reparation for it; if he be an Officer he shall lose his place what ever it be, if he be a Common-souldier he shall ride the Wooden Horse, and be farther punished at the discretion of the Court.

90. If two goe into the Field to Fight a Duell, and there draw their Swords or other Weapons, and Fight, though no death follow it, if they be officers, they shall lose their Offices for ever, unlesse upon submission they be restored to that civility, in open Court, by the consent of the Major part of the Counsell, if they be Common-souldiers, they shall be punished with the Wooden horse or otherwise at the discretion of the Court.

91. In all cases of Duells, the seconds shall be taken as Principalls, and be punished accordingly.

92. All Officers of what condition soever, shall have power to part quarrels or frays or sudden disorders betweene Souldiers, though of another Company or Regiment, and commit the disordered Persons to the Prison, untill their proper Officers be acquainted therewith, and every such Souldier who shall resist such Officer though of another Company or Regiment or draw his sword, shall be punished with death.

93. A Captain who is carelesse in training his Company, or in exercising and governing them, as he ought, shall be displaced as a man unworthy of that Office.

94. A Captain or other Officer who goes from his Company without a Passe, or out-stay the time of his Passe, shall be punished at the discretion of the Commander in chiefe.

95. A Capitaine or Officer, not residing at his Quarter assigned without speciall licence from the Generall or Governour of the place; and so continue for a week shall lose a months pay: and if he continue away longer shall be discharged of his command or Place, as a man unfit to bear Office in the Army.

96. Whatsoever Regiment shall first charge the Enemy, and retire before they come to dint of Sword with them, shall answer for it before the Court Marshall: and if it be occasioned by an Officer, he shall be publicquely discharged for it, and turned out of the Leaguer, but if the Officers & Souldiers be faulty alike, the Officers shall be punished as before, and of the Common-souldiers the tenth man shall be hanged, and the rest shall be punished at the discretion of the Court.

97. No Captain shall chastise any Souldier who is inrolled, with speciall warrant of the Lord Generall of that Army.

98. No Captain of a Troop or Company, shall in this Muster present any but a reall Trooper or Souldier, and such as by oath & pay are bound to follow the Troup upon pain of death, and whatsoever other person shall present himselfe or his Horse in the Muster, to misleade the Muster-master, to defraud the King, and to betray the service, shall suffer death for it.

99. No Captain shall receive into his Troop or Company,
any

any Inhabitant of the place, where the Troop or Company is in Garrison upon pain of severe punishment, unless it be, by the privy and content of the Generall, or Governour of the place.

100. No Muster-master shall wittingly let any p^{er}son passe the Musters, but such as are really of the Troop or Company, upon pain of death: and the Muster Master shall use his best industry not to be deceived, upon pain to be reputed negligent and false to the Kings service.

101. All Captains shall doe their best to have their Troops and Companies to be compleate and full; and within two dayes after every Generall Muster, both the Captain and the Muster-Master shall send to the Lord Generall a perfect List, or Roll, of all the Officers, Troopers and Souldiers, of their Troopes and Companies, that are in Actuell service.

102. They shall also send the like List or Roll to the Lord Generall and Treasurer of the Army upon every pay-day during the service, with a punctuall expression at the bottome of the Roll, what new Troopers, Souldiers and Officers have beene entertained since the last pay-day, in lieu of such as have beene cashiered or deceased, with the day when the old dyed or were cashiered, and the new entertained.

103. Every such List or Roll shall be subscribed by the Captain and his Lievtenant, and Cornet or Ensigne, and also by the Sergeants and Corporalls, who shall declare the truth thereof upon their Oathes, and whosoever shall be convicted of falshood herein shall be punished with death.

104. No Muster-master shall receive or accept of any Roll to make the Muster by, but such as shall be so testified, upon pain of the losse of his place and farther punishment at discretion.

105. No man shall presume to present himselfe to the Muster, or to be inrolled in the Muster Roll, by a counterfeit or wrong name or Surname, or place of birth or habitation, upon pain of death.

106. No Provider, Keeper, or Officer of His Majesties Vi-

Quall, or Ammunition shall imbefell, or willingly spoyle any part thereof, or give a false account thereof to him who is to take his accompt, upon pain of death.

107. No Commissary or Provant-master, shall bring and furnish into the Camp any unsound or unfavoury victuall of any kind, whereby sicknesse may grow in the Army, or the service be hindered, and if upon examination before the Court, he shall be found guilty, he shall dye for it.

108. No Souldier shall be a Victualler in the Army, without the consent of the Lord Generall, or other principall Commander, upon pain of being punished at discretion.

109. No Victualler or seller of Ale, Beer, or Wine, shall entertain any Souldier in his House, Tent, Booth, or Hur, after the Warning peece, or beat of Drum at night, or before the bearing of the Revalles in the morning, upon pain of punishment, both to the Souldier and entertainer, at the discretion of the Court.

110. All controversies betweene Souldiers and their Captains or other Officers, or between Souldier and Souldier, or other, shall be summarily heard, and determined at the next Councell or Court of War, if the weight of the cause shall not require farther deliberation, or the Court shall otherwise order for speciall reason.

111. No Provost-Marshal shall refuse to keepe a Prisoner committed to him by authority, or dismisse him without authority upon pain of such punishment as the Councell of Warre shall think fit to inflict upon him: and if the offence deserved death for which the Prisoner was committed, the Provost-Marshal shall be subject to the same punishment.

112. But if the Provost-Marshal have a prisoner committed to his charge, and no information come against him within 24. houres, he shall acquaint the Generall or other chief Commander therewith, and without speciall command to the contrary shall dismisse him.

113. If any information be brought in against the Prisoner,
and

and he be not brought to his tryall within three dayes, the Provost-Marshall shall acquaint the Generall or other chief Commander therewith, and if he receive no command to the contrary he shall dismisſe him.

114. If the perſon be committed by the Provost-Marshalls own authority, without other command, he shall acquaint the Generall or other chief Commander therewith, and with the cauſe of his reſtraint within 24. houres, and without he receive command to the contrary shall dismisſe him.

115. A Sentinell or Perdue found aſleep or drunk, or forſaken his place before he be relieved or drawne off, or who upon diſcovery shall not give warning to his Quarters according to direction shall dye for it.

116. If any imployed for a guid upon the way, or for a ſpye upon the Enemy, be found falſe in the charge wherewith he is truſted, he shall dye for it.

117. If any imployed as a Scout, shall not diſcover ſo far as he is commanded, or having diſcovered any approach, or ambuſhment of the Enemy, ſhal not ſpeedily returne & give warning to his Quarters, shall be puniſhed at diſcretion of the Court Marshall, but if it be proved that he hath entred into a houſe, and there or elſe where hath lyen ſleeping or drinking, or idling whileſt he ſhould have been upon the ſervice, he shall dye for it.

118. All Captains Officers and Souldiers, shall do their endeavour to detect apprehend and bring to puniſhment all offenders, and shall aſſiſt the Officers of the Army for that purpoſe, as they will answer their neglect at the Court Marshall.

119. Every man ſhal be bound to aſſiſt the Provost-Marshall in the execution of his Office for the apprehending of an offender if he be required thereto in His Majeſties name, upon paine of imprisonment at the diſcretion of the Marshall Court, and if the Provost-Marshall make it knowne, that it is for a capitall crime, and the party eſcape for want of aid and aſſiſtance, the party or parties reſuſing to ayd or aſſiſt shall dye for it.

120. If any Souldier shall refuse or forbear to go upon any service commanded him by his Superior for feare of danger or other pretence whatsoever, or shall in time of fight retire before the retreat sounded, or shall throw away his Armes or flye, he shall dye for the same.

121. Whatsoever Regiment, Troop, or Company, shall treat with the Enemy, or enter into any conditions with them, without His *Majties* leave, or leave of the *Generall*, or chiefe Commander in his absence, shall dye for it, if he be an Officer; and if the Souldiers consent thereto, every tenth man shall be hanged, and the rest punished at the discretion of the Court Martiall.

122. But if any Officer or common Souldier can prove that they did their best to resist or avoyd it, and so was ^{or} were not partakers of the crime, such shall goe free and be rewarded, according to the importance of the matter.

123. Whatsoever Souldiers shall compell any Governour to give up any strength shall dye for it, and if upon examination, the Governour or Commander shall appeare to have beene so compelled, they may be quitted by the Judgement of the Councill,

124. If any number of Souldiers shall without leave of their Captaines presume to assemble together, for the making of any convention or taking of any Counsell amongst themselves; if any inferiour Officers shall be of the Company, they shall suffer death for it: and the Souldiers shall be punished at the discretion of the Court, and if any Captain permit it, or when he knowes it, doth not complain of it, shall be punished at the discretion of the Court.

125. Whosoever gives advice or intelligence unto the Enemy in any manner of way, by lets, message, signe, or token, shall dye for it; or whosoever holds discourse with the Enemy, in any place of strength, without the leave of the chiefe Commander of the places shall dye for it.

126. He that wilfully or negligently breaks any of his Arms
or

or necessary tooles or implements used about the Army, shall pay for the mending of them, and shall also be further punished at the discretion of the Councell.

127. He that hath been once proclaimed Traitor either at home or in the Field, or that hath beene under the Hangmans hands, shall be never endured after to be of any Company.

128. He that forces any woman to abuse her, and the matter be proved before the Court of War, he shall dye for it.

129. No Whore shall be suffered to be in the Leaguer: but if any man wil have his own wife he may, so it be with the leave of the *Generall* or chief Commander and not otherwise, least it be a burthen to the Leaguer or Garrison, & whosoever offends herein, he shall be punished at the discretion of the Councell.

130. He that beats or abuses his host, or his servant, where he is quartered or billeted, he shall be put in Irons for it, and if he do it a second time, he shall be further punished, & the party wronged have amends at the discretion of the Councell.

131. If it please God We at any time beat the Enemy, either in the Field or in the Leaguer, or Towne, every man shall follow the chase of the Enemy, and forbear to fall upon any Pillage, till the Enemy be assuredly beaten; and then the Souldiers may fall upon the Quarters assigned to them, and take what they find there, but they shall not fall to Plunder in the Quarter assigned to another, but rest contented with that which is assigned.

132. That Souldier who falls to Pillage in any other manner, if any misfortune happen thereby, for the greediness of the spoyle, he shall dye for it, and the pillage so gotten, shall be forfeit to the Poore, to be ordered as is afore directed.

133. No man shall presume to Pillage any Church, or Hospitall, although the Strength be taken by assault, except leave be first given, upon necessary reasons for it.

134. No man shall purposely set fire upon any Church, Hospitall, Schoole, or Mill, or spoyle them, without commands or leave, nor shall tyrannise over any Church-men, aged men, or women

women, or Maids, or Children, unless they first take Arms against them, upon pain to be punished therefore at the discretion of the Councell.

135. If in any place the Enemy be overcome; whatsoever Ordinance, Ammunition for War, or Victuall is found there, shall be for Our own use for the better relief of Our Army, the rest shall be to the Souldiers, in such manner as aforesaid, only a tenth part of the spoyle shall goe to the sick and maymed Souldiers, to be ordered in such manner as is before directed for pecuniary mulcts.

136. If any Prisoners be taken, if they be Persons of note and quality, they shall be presented to Us, and We shall reward the takers, but other Prisoners of meane ranke, the takers may keep to themselves: but shall not put them to rancome without Our leave or the leave of Our *Generall*.

137. If any Souldier be taken drunk in the Enemies Leaguer, before he have wholly laid down his Arms and yeelded to Our mercy, if any kill such drunken Souldier, he shall be free; and if any hurt ensue thereby to Our service, such drunken Souldier shall suffer death for it; but if no damage ensue to Us thereby, he shall lye in Irons, living upon bread & water for three dayes.

138. No Souldier shall come into Our pay, untill he have taken his oath, and his name be entred into the list, or Muster-Roll, in such manner as aforesaid.

139. No Souldier shall be discharged from the Army, but by leave of the Caprain, and chief Commanders, and by the notice of the Muster-master.

140. If any Souldier be sick, wounded, or maymed, he shall be sent out of the Leaguer to some fit place for his recovery, where he shall be provided for, and some Officer of that Regiment take care of him, and his wages or pay shall goe on and be duly paid, till it shall appeare he can no longer be serviceable in Our Army, and then he shall be sent by Passe to his Country, with money to bear his charge in his travell.

141. If any Captain lend money to any Souldier, which he desires

desires to be paid againe, it shall be done with the privy of the Muster-masters, that Our service be not hindered or neglected thereby.

142. If upon necessity it fall out in Our Leaguer, that pay be not made at the times appointed, yet shall every man be content to further Our service in the mean time, having sufficient victuals for the present, and they shall receive their pay as soon as may be.

143. Those of Our Councell of War, who shall be Judges in Our Courts of War, either in the great Court for the whole Army, or in the lower Courts for every Regiment, shall take an Oath for the due administration of Justice according to their best skill and understanding.

144. In Our highest Court there shall be a Secretary appointed, who shall also be sworn to make diligent and faithfull Records of all the proceedings, and there shall be also such other Officers to that Court, as we shall appoint; and also in the lower Courts there shall be a like Clerk, and Officers appointed.

145. When any of the said Courts are sitting, the Judges of the Courts shall hold the same Rankes and places as they hold in Our Army, for order sake.

146. And shall carry themselves orderly and gravely in the hearing of causes, as becommeth the gravity of a Court.

147. And in giving of their sentence, every Judge shall deliver his Vote or opinion distinctly, unlesse they agree in opinion, & then the sentence to be according to the plurality of voyces or votes: and the president to have a casting voyce, if there be an equality of Votes.

148. Whilest any cause is in debate, there shall be a deliberate hearing, and the Persons or Party complained of, shall be heard with patience.

149. No man shall presume to use any braving or menacing words, signes, or gestures, whilest the Court of Justice is sitting, upon paine of death to the offender.

150. In matter of diet, trespassse, contract, or words arising betweene

tweene a Souldier, and a nor-Souldier: The Officer of the civill Magistrate shall not arrest the Souldier without leave of the chiefe Officer of the Company, but he shall first complaine to the Captain of such Souldier, who shall doe him right, or in his default the Court Martiall shall do him right, both against the Souldier and against the Caprain also, if he be delayed of Justice, or leave him who complaines to the Justice of the civill Magistrate; And if the Souldier have cause to complaine, he shall complaine to the civill Magistrate, who shall doe him Justice in time and place convenient for it.

151. For all matters which shall be brought in question in any of the said lower Courts, either of the Parties to those suits who finds himselfe grieved, may appeale to the great Court or Councell, but with this, that if the Party appealing faile in making good his suggestion, that the Court shall Judge of the recompence to be made for the delay, and for the trouble and charge of such appeale.

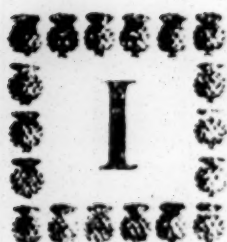
152. In all criminall causes which concerne Our selfe, Our Advocate-Generall shall follow for Us, and informe the Court on Our behalfe.

153. When sentence is to be given, the President shall pronounce the sentence: and after the sentence pronounced, the *Protest-Marshal* shall have warrant to cause execution to be done according to the sentence.

These Orders and Articles His Majesty commandeth to be observed, and put into due execution by all whom it may concerne, as they will be answerable for the same at their perills.



The OATH which every Souldier
is to take.


 A. B. Doe sweare to be true and faithfull
 to my Sovereigne Lord King Charles,
 and to His Heires and lawfull Successors,
 and to be obedient in all things to His
 Lieutenant-General, for the time being,
 in this His Majesties Warre, against such
 Rebell Subjeſts, as have already taken up, or hereafter
 shall take up armes, and wage Warre against Him, or
 which shall any wayes abet, assist, or aide them. And I
 doe further sweare, that I will be a true and a faithfull
 servant and Souldier: every manner of way performing
 my best indeavours for His Majesties Service, and the
 profit of this Kingdome. To my power also, shall I hinder
 all actions prejudiciall unto His Crowne: and if I have
 tydings of any thing likely to be prejudiciall, I shall give
 His Majesty present notice thereof, or some one or other
 of His Councell. Moreover, I will doe my best indea-
 vour to observe all these His Majesties Articles of Wars.
 Also, I shall behave my selfe manfully in Battle, Skir-
 mishes, and entries of Breaches, as well by Water, as by
 D Land,

Land, in all times and places, when and where I shall be commanded. I shall also keepe watch and ward, and do all other duties willingly, unto the best profit of His Majesty and this Kingdome, wheresoever I shall be commanded either by Land or Water. Also I shall beare my selfe obediently towards my Superiour Officers, in all that they Command me for His Majesties Service. In like manner, as I shall answer it before God and every honest man, I shall not flye from my Colours or taken whatsoeuer, that I am commanded to follow, so long as I am able to goe after them: and I shall be willing to doe this at all times, and by no meanes absent my selfe from them at any time. I shall lay down my life and goods for the advancing of His Majesties service, and endure all miseries that can possibly fall out in the Wars, fighting manfully to the very last, so farre forth as I am able, or that any true Souldier ought to doe. Furthermore, where ever I be put into any place of Charge by His Majesty, I shall doe my best endeavour faithfully to discharge my duty therein, as I ought to doe according to my place. This Oath shall I will and truly keep to the best of my understanding and Power, as the Lord of Heavens and Earth shall require of me in the last Judgement.



BY THE KING.

A Proclamation for the better Government of His Majesties Army, and for the preventing the Plundering, Spoyling, and Robbing of His Majesties Subjects, under any pretence whatsoever, upon paine of the punishment herein Declared.

W E E, having taken into Our Princely and serious Consideration the great misery and ruine falling, and likely to fall upon Our good Subjects if not timely prevented by the Plundering, Robbing, & spoyling of their Houses, and taking from them their Money, Plate, Household stuff, Cattle & other goods, under pretence of their being disaffected to Us and Our Service; and these unjust and unlawful Actions done by divers Souldiers of Our Army, and others sheltering themselves in the same, under that Title; Have of Our tender consideration of such their sufferings, as detesting all such Horrid and Barbarous proceedings, and for their future defence and preservation, thought fit to Publish and Declare Our Royall Pleasure to be, that from henceforth no Officer, Souldier of Horse or Foot, or Party sent from Our Army, presume to search for, or seize upon any

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Money,

Mony, Plate, Goods or Householdstuffe belonging to any of Our Subjects, of what condition soever, without Our expresse warrant for the same, under Our Signe Manuall, declaring the cause of such seizure: And if any, either Officer or Souldier of Our Army of Horse or Foot, presume from henceforth to Plunder, Spoyle, or Rob any of Our People, or take from them any their Mony, Plate, Householdstuffe, or any Oxen, Sheep or other Cattle, or any Viduals, Corn, Hay, or other Commodities or Provisions going to, or from any Our Markets, or otherwise, being in the Grounds, Houses, or Possession of any of Our Subjects, without giving full satisfaction for the same; upon complaint made thereof, We Will and Command the Officer in chiefe of the Quarter, within which such Fact shall be committed, to proceed against such Offendor or Offendors by the Law Martiall, without Favour or Connivance, & to cause him or them to be executed accordingly without Mercy. And if any Officer in chief of such Quarter shall either neglect or refuse to do Justice upon any Person whatsoever offending against any particular herein mentioned, Our Will is, and We do require the Party grieved to repair unto Us, where so ever We shall remaine, and appeale to Our Justice, which We shall be ever most ready to afford any of our Subjects for redresse of their sufferings in any the least kinde whatsoever. Likewise for the better Order in Our Army,

Army, and for the preservation of the due government thereof, We do farther strictly Charge & Command all Officers and Souldiers both of Horse and Foot of the same, as also all Parties sent out, That they nor any of them presume to depart, or be absent from their Quarter, without a Passé or Licence under the hand of the Officer commanding in chiefe in such Quarter of Our Army, upon paine of Death; nor that any other, but such Our Officer in chiefe, presume to give any Passé or other Licence to any Officer or Souldier to be absent upon pain of cashiering. And that Our Pleasure herein Declared may be fully observed, and produce the effects We intend for the good and security of Our Subjects. We doe hereby further require all the Officers commanding in chief, in any the Quarters of Our Army, to cause this Our Proclamation to be Published and made known to all the Officers and Souldiers under their Commands, and to see that severe and due punishment be inflicted upon such as shall hence-forward offend against any the least particulars herein before mentioned, as they and every of them expect to avoyd Our High displeasure for the neglect thereof.

Given at Our Court at Reading, the 25. Day of November, in the Eighteenth Year of Our Reigne.

God Save the King



BY THE KING.

A Proclamation prohibiting all Persons whatsoever, from buying or selling any Horse or Armes of any kind from any Souldier of this Majesties Army; with a Command for bringing in of all such as have been sold, pawned, left, or lost by any Souldier.

WHEREAS We have found by Our own Experience, as well as the Information of others, That many Souldiers of Our Army have presumed to sell and pawne their Armes, which with so great difficulty We have provided for the defence of Us and Our Kingdome, and which by Our Military Orders, and Law-Martiall is death, as well to the Receiver and Buyer, as to the Seller. And whereas other of Our Souldiers upon their March have throwne away, or through negligence have lost many of their Armes, and have sold their Horses; We doe hereby com-
mand all Persons whatsoever, That they henceforth presume not to buy any Armes whatsoever of any Souldier, in Our Army, and that within ten dayes after the publishing of this Our Proclamation, they bring and deliver all such Armes of what kind soever, either Muskets, Pikes, Swords, great Saddles, Pistols, Ca-

Carabines, or the like, which they have bought or received as aforesaid, to the satisfaction of Our said and Well-beloved *Winter-Governor* *General*, at *John Rolfe's* house in *Grampole* in Our City of *Oxford*, promising them that they shall no wayes suffer for what is past, so that they be not hereafter guilty of the same offence. And We doe further require every Souldier of Our Army, who hath sold or pawned any of Our Armes whatsoever, as aforesaid, That within foure dayes after the Publishing this Our Proclamation, he informe and acquaint the chiefe Officer of that Regiment wherein he serveth, with the names of such Places and Persons where and to whom he, or any other, to his knowledge, hath sold or pawned any such Arms as aforesaid, promising likewise, That the said Souldier or Souldiers shall no wayes suffer for what is past, so that they be not hereafter guilty of the same offence. And Wee further require all Persons whatsoever, who have taken up, or found any Armes left or lost by any Souldiers in Our Army, or any Souldiers of the Army now in Rebellion against Us, or have bought any Horse, Gelding, or Mare, of any of Our Common-Souldiers, That they henceforward promise not to buy any Horse of what kind soever, of any of Our Common-Souldier without the consent of the chiefe Officer of the Regiment of which such Souldier is, and that

they likewise within foure dayes bring and deliver all such Arms and Horses to the said *Winter Grannt*, or his Deputies, at the said *John Robotham's* house in Our City of *Oxford*, who shall take a note of the names of all such who shall obey Us in these Our Commands, and present their names unto Us, that We may take notice of their Duty and Affection to Our Service. And if a speedy Obedience be not given to these Our Commands, We shall give further direction for the searching all Houses where is probable suspicion to finde any such Armes or Horses. And Our Pleasure is, That this Proclamation be Read in every Parish Church throughout this County, and in the head of every Regiment in Our Army.

Given at Our Court at Oxford, the fifth Day of January, in the Eighteenth Year of Our Raigne.

God Save the KING.

FINIS.

